THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.1180 OF 2007

DATED: 25-06-2007

BETWEEN

Vanam Krishna,
S/o. Sri Vishwanatham,
Occ: Business,
R/o. Flat No.61, Haritha
Nilayam, G-2, M.J. Colony,
Moula Ali Road, Malkajgiri,
Ranga Reddy District.

...PETITIONER

AND

The Commissioner of Police,
Cyberabad Commissionerate,
Cyberabad, Hyderabad and
others.

...RESPONDENTS

ORDER:

Petitioner questions the action of the respondents in calling upon him frequently to the police station for the purpose of undergoing lie detector test at Forensic Laboratory opposite to Niloufer Hospital at Nampally, Hyderabad on 19.01.2007 and subsequently on 23.01.2007 as illegal and arbitrary.

2. Counter has been filed stating that petitioner and two others were suspects in a criminal offence, as they denied about their involvement in the crime, they have voluntarily given written consent to undergo lie detector test, but as the petitioner did not cooperate the test could not be conducted on him whereas the test was conducted on other two persons namely Madhusudhan Reddy and Maladri; therefore another date was given for conducting the test on petitioner on 23.01.2007. It is further stated that as the petitioner did not cooperate again on 23.01.2007, the test could not be conducted.

3. Learned Government Pleader appearing for the respondents submits that, as of now, though the petitioner is a suspect no case has been registered against him and that pursuant to petitioner's voluntary acceptance only, he was called for the purpose of undergoing polygraph test but not forcibly. Learned Government Pleader further submits that the respondents are not inclined to conduct the polygraph test against the will and wish of the petitioner and that he is not figured as accused as on date.

Recording the above submissions, the writ petition is accordingly dismissed. There shall be no order as to costs.

V. ESWARAIAH, J

June 25, 2007
DSK